



Authorization Basis Change Notice

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ABCN Number ABCN-24590-01-00002 Revision 0
ABCN Title ISMP 3.3.1.8, 7.2, 11.1, 13.0; Remove ECP & OSHA/VPP related text; Clarify and Edit. Updates

II. Description of the Proposed Change to the Authorization Basis

D. Affected AB Documents:

Title	Document Number	Revision
Integrated Safety Management Plan (ISMP)	BNFL-5193-ISP-01	6

Decision to Deviate ☐ Yes ☒ No

If yes, DTD Number _____ Deficiency Report Number _____
Initiating Document Number Non-Radiological Worker Revision 1
Safety and Health Plan,
Document PL-W375-
IS00001

E. Describe the proposed changes to the Authorization Basis Documents:

Attachment 1 to this ABCN provides the specific proposed text changes to these ISMP sections. General description of these proposed changes are as follows:

Update of ISMP Section 3.3.1.8, "Other Information" (ISMP page 3-9) involves deletion of the reference of the Employee Concerns Program (ECP) as part of the Authorization Basis.

Update of ISMP Section 7.2, "Occupational Health and Safety Interface." (ISMP page 7-2) includes:

The proposed changes for deletions in this section include removal of statements concerning Occupational Safety and Health Administration (OSHA) or Washington [state] Industrial Safety and Health Administration (WISHA) regulation of the project occupational safety and health program. Also proposed for deletion are references to a memorandum of understanding between the OSHA and the DOE, as well as BNI responses to both the OSHA and DOE on occupational safety and health observations.

Other proposed deletions in this section are statements of the previous privatization project Contractor commitment to have an OSHA-qualified Voluntary Protection Program and for the Contractor to obtain STAR status, as well as deletion of identification of North American Industry Classification System codes for the RPP-WTP.

Proposed changes for addition to this section clarify that the project occupational safety and health program is regulated by the Department of Energy (DOE).

Update of ISMP Section 11.1 (ISMP pages 11-4 and 11-5) includes:

Clarify Area Project Manager roles, responsibilities, and authorities, item 5) to change this responsibility to read: "Ensure approval by the Engineering Manager of final designs of Safety Design Class and Safety Design Significant features, in their respective area of responsibility."

Update Engineering Manager roles, responsibilities, and authorities, to add a new responsibility number 1) to read: "1) Approving final designs of Safety Design Class and Safety Design Significant features." Renumber all the items under the Engineering Manager section to reflect this insertion.

Update of ISMP Section 13.0 (ISMP page 13-1) provides editorial updates to remove an out-of-date revision number from an historical reference to the "Quality Assurance Program and Implementation Plan (QAPIP)" and deletes the revision numbers from references to AB documents. i.e., the Hazard Analysis Report (HAR), Initial Safety Analysis Report (ISAR), and Safety Requirements Document (SRD).



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F. List associated ABCNs and AB documents:

No other ABCNs or AB documents are associated with these proposed changes to the ISMP.

G. Explain why the change is needed:

ISMP Sections 3.3.1.8, 7.2, and 11.1 are proposed to be updated to reflect RPP-WTP project contract change from a privatization contract to a design, construction, and commissioning (DC&C) contract.

The removal of the ECP from ISMP section 3.3.18 reflects proposed deletion of this program as a Authorization Basis document. The ECP will be furnished comparable to other project safety management programs and is not considered part of the AB for radiological, nuclear, and process safety management.

Changes to ISMP Section 7.2 reflect the DC&C contract and that the project nonradiological safety and health program (also known as the occupational safety and health program) will no longer be regulated by the Occupational Safety and Health Administration (OSHA) or under the regulations of the Washington Industrial Safety and Health Administration (WISHA). Thus, the references to OSHA and WISHA regulation are proposed to be deleted.

As the RPP-WTP occupational safety and health program is being regulated by the Department of Energy (DOE), it is also unnecessary to discuss an OSHA/DOE memorandum of understanding (MOU) in the ISMP, since the MOU is an agreement between two independent federal agencies and the jurisdictional relationship between them is not a direct interface for the RPP-WTP Contractor.

Furthermore, it is unnecessary to state that the RPP-WTP Contractor will provide responses to both the OSHA and the DOE, as only one agency (i.e., the DOE) is acting as the occupational health and safety regulator.

As the project intends to provide an occupational safety and health program compliant with DOE occupational health and safety requirements, the voluntary approach to participate in a voluntary protection program is not considered necessary. BNI feels the resources that would be used to implement VPP could be used more effectively for other worker protection programs. Furthermore, BNI believes that the elements of VPP are embedded within the requirements of RL/REG 2000-04, Appendix A. Therefore by complying with the requirements of Appendix A, BNI will be acting in accordance with the tenets of VPP. Consequently, reference for the contractor have an OSHA qualified Voluntary Protection Program and to obtain STAR status is proposed to be deleted.

The purpose of North American Industry Classification System (NAICS) codes is to facilitate OSHA reviews of industrial incidents and to group similar industries together for purposes of OSHA reporting lessons learned. Therefore, these codes are irrelevant to the ISMP and reference to them is proposed to be deleted.

The ISMP section 11.1 updates are required to clarify the roles of the Area Project Managers and the Engineering Manager, relative to the approval of final designs of Safety Design Class and Safety Design Significant features, reflecting the new DC&C contractor organizational responsibilities.

In the ISMP section 13.0 updates, the deletion of "Revision 5" from the historical Quality Assurance Program and Implementation Plan (QAPIP) reference addresses a project QA deficiency report (DR-W375-01-QA00003) corrective action to remove the out of date reference to a specific version of the QAP. The deletion of Revision numbers for the HAR, ISAR, and SRD eliminates out of date revision numbers and implicitly cites current AB document versions (similar to the QAP reference in Section 13.0).



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H. List the implementation activities and the projected completion dates:

<u>Activity</u>	<u>Date</u>
Inform DOE that AB has been revised	30 days after receipt of DOE approval of this ABCN
Distribute revised pages	30 days after receipt of DOE approval of this ABCN
Provide updated electronic version of AB to DOE	30 days after receipt of DOE approval of this ABCN

Revise the following implementing documents:

<u>Documents</u>	<u>Describe extent of revisions</u>	<u>Date</u>
1. Non-Radiological Worker Safety and Health Plan, Document PL-W375-IS00001, Rev. 1	Changes to the Non-radiological Worker Safety and Health Plan will be provided as necessary to reflect these ISMP section 7.2 description changes and ensure the ISMP and the plan are consistent.	30 days after receipt of DOE approval of this ABCN
2. Procedure K70P528	Remove ECP from list of project AB documents.	30 days after receipt of DOE approval of this ABCN

Describe other activities:

1 N/A

III. Evaluation of the Proposed Change

I. Is DOE prior approval required?

- 1 Does the revision involve the deletion or modification of a standard previously identified or established in the SRD? Yes ☐ No ☒

Explain

ISMP §3.3.1.8, § 7.2, §11.1, and §13.0 are not implementing standards for any SRD safety criterion; no other standards are addressed in these ISMP sections.



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- 2 Does the revision result in the reduction in commitment currently described in the AB? Yes ☒ No ☐

Explain

Deletion of the ISMP §3.3.1.8 reference of the ECP as AB is a reduction in current commitment.

Deletion of statements in ISMP § 7.2 indicating that BNI responds to both the OSHA and the DOE, as well as the proposed change deleting the commitments in § 7.2 to have an OSHA-qualified Voluntary Protection Program and for the Contractor to obtain STAR status, are reductions in current commitments described in the ISMP AB document.

The proposed changes to the design approval responsibilities in §11.1 are not a reduction in commitment and are a proposed clarification change to reflect BNI organizational responsibilities.

The proposed changes to the historical QAPIP or HAR, ISAR, and SRD Revision numbers referenced in §13.0 are not a reduction in commitment and are a proposed editorial change.

- 3 Does the revision result in a reduction in the effectiveness of any procedure, program, plan, or management process described in the AB? Yes ☐ No ☒

Explain

Removal of the ECP in §3.3.1.8 from the Authorization Basis is not considered to result in a reduction in effectiveness, as the ECP is proceduralized and meets the requirements of 10 CFR 708.

Changes in §7.2 to decline to voluntarily provide an OSHA-qualified Voluntary Protection Program or to obtain STAR status will not reduce the effectiveness of the non-radiological worker safety and health program, because the RPP-WTP construction, commissioning, and operations programs will comply with the DOE regulatory compliance requirements for occupational health and safety, as well as ensure compliance with 29 CFR 1910.120, 29 CFR 1910.119 (if applicable) and 29 CFR 1926 (for construction). The resources that would have been used to administer the VPP will be used to enhance the worker safety and health program, providing compliance as well as programmatic excellence elements such as management involvement, worker safety awareness, behavior-based training, safety responsibility sharing, and additional training.

The proposed changes to the design approval responsibilities in §11.1 are not considered to result in a reduction in AB effectiveness, as the responsibility for design approval is retained at the appropriate management levels within the project.

The proposed updates to the historical QAPIP or HAR, ISAR, and SRD Revision numbers referenced in §13.0 are not a reduction in effectiveness and are proposed editorial changes.



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J. Complete the safety evaluation by describing how the revision to the AB:

- 1 will continue to comply with all applicable laws and regulations, conform to top-level safety standards, and provide adequate safety

As there are no direct laws or regulations or top-level safety standards to provide an ECP, as part of an AB, deleting reference to the ECP in ISMP §3.3.1.8 as an AB document does not apply to this question. The project use of the ECP as a project management program will still meet contractual commitments for providing this program and comply with laws and regulations related to employee concerns (e.g., 10 CFR Part 708).

The ISMP §7.2 proposed changes maintain compliance with the applicable laws and regulations. The OSHA Voluntary Protection Program is not mandated by law or regulation. There are no top-level safety standards related to interfaces between the RPP-WTP Contractor and the applicable regulatory agencies regarding environmental protection, occupational health and safety, and safeguards and security. Adequate safety for occupational safety is still provided through the project occupational safety and health program compliance with DOE requirements.

The changes to clarify design approval roles in §11.1 do not impact any laws or regulations or top-level safety standards and continue to provide adequate safety.

The proposed editorial updates to the historical QAPIP or the HAR, ISAR, and SRD Revision numbers in §13.0 have no impact on applicable laws and regulations, conformance to top-level safety standards, or providing adequate safety.

- 2 will continue to conform to the original submittal requirements associated with the AB documents being revised

The ISMP section 7.2 continues to explain the Contractor's regulatory interface to address occupational health and safety. The proposed ISMP changes continue to reflect this original submittal and, therefore, conforms with the original submittal requirements.

The proposed change to remove the ECP from the ISMP does not continue to conform with the original submittal requirements. DOE approval is required on this proposed change.

The proposed change to clarify the clarify design approval roles in §11.1 does not continue to conform with the original submittal requirements. DOE approval is required on this proposed change.

The proposed update to the historical QAPIP or HAR, ISAR, and SRD Revision numbers referenced in §13.0 continues to conform with the original submittal requirements. DOE approval is not required on this proposed editorial change.



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- 3 will not result in inconsistencies with other commitments and descriptions contained in the AB or an authorization agreement

There are no other ECP program commitments described in other AB documents or authorization agreement document and this proposed change presents no inconsistencies with other commitments and descriptions contained in the AB or an authorization agreement.

ISMP §7.2 describes the interfaces between the RPP-WTP Contractor and the applicable regulatory agencies regarding occupational health and safety. The topic of occupational health and safety regulatory interface management is not discussed in any other AB document or authorization agreement document and these proposed changes present no inconsistencies with other commitments and descriptions contained in the AB or an authorization agreement.

The proposed changes to the design approval responsibilities in ISMP §11.1 are consistent with responsibilities in the QAP and these proposed changes present no inconsistencies with other commitments and descriptions contained in the AB or an authorization agreement.

The proposed update to the historical QAPIP or HAR, ISAR, and SRD Revision numbers referenced in §13.0 present no inconsistency with other commitments and descriptions contained in the AB or an authorization agreement.



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K. Justification of the Proposed Change

Provide a justification that demonstrates that the proposed change is safe

The ECP still will be furnished as a project management program even though it is not considered part of the Authorization Basis to support radiological, nuclear, and process safety management programs.

The Project believes that the development of an DOE occupational safety and health program-compliant worker safety program specifically for the RPP-WTP would result in an equal or better level of worker safety as would be provided by participating in a VPP. Resources that would have been directed towards documenting compliance with elements of a VPP are considered to be better directed towards development and implementation of a comprehensive, DOE-compliant occupational safety and health program. This approach is reflected in the Project non-radiological worker safety and health plan.

Deferring the option to provide an OSHA-qualified Voluntary Protection Program or to obtain STAR status will not reduce the effectiveness of the non-radiological worker safety and health program because the RPP-WTP design, construction, and commission activities will comply with DOE regulatory compliance requirements for occupational health and safety, as well as reflect the tenets of a VPP approach to provide excellence in the program. The resources that would have been used to administer the VPP will be used to enhance the worker safety and health program with such items as behavior-based training, safety sharing, and additional training.

VPP participants are a select group of facilities that have designed and implemented outstanding health and safety programs. In the VPP, management, labor, and OSHA establish a cooperative relationship at a workplace that has implemented a strong program. The VPP concept recognizes that compliance enforcement alone can never fully achieve the objectives of the Occupational Safety and Health Act. Good safety management programs that go beyond OSHA standards can protect workers more effectively than simple compliance. Implementation and design of the RPP-WTP design, construction, and commission health and safety program will be consistent with these goals; therefore, adequate safety is not challenged by this revision.

The proposed changes to the design approval responsibilities in ISMP § 11.1 still ensure that appropriate management approvals are provided to furnish design approval practices to support safety.

The proposed editorial updates to the historical QAPIP or HAR, ISAR, and SRD Revision numbers referenced in ISMP § 13.0 have no impact on the safety basis.